

## 21 C.J.S. Courts § 92

Corpus Juris Secundum | May 2023 Update

### Courts

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### II. Jurisdiction of Courts

#### I. Record Recitals of Jurisdiction and Necessity of Record

## § 92. General requirement of jurisdiction shown by record

[Topic Summary](#) | [References](#) | [Correlation Table](#)

### West's Key Number Digest

West's Key Number Digest, [Courts](#)  32, 32.3, 32.5(1)

**The court's jurisdiction, whether personal or subject matter, must appear from the record.**

The personal jurisdiction of the court must appear from the record<sup>1</sup> as must the court's subject matter jurisdiction.<sup>2</sup> It cannot be inferred on appellate review,<sup>3</sup> and the trial court's record is subject to review in its entirety on appeal to determine whether the court properly exercised jurisdiction in a matter,<sup>4</sup> including the plaintiff's pleadings.<sup>5</sup>

For jurisdiction to exist, the record must reflect the necessary facts.<sup>6</sup>

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### Footnotes

1

Conn.—*Kenny v. Banks*, 289 Conn. 529, 958 A.2d 750 (2008).

La.—*Jacobsen v. Asbestos Corp. Ltd.*, 119 So. 3d 770 (La. Ct. App. 5th Cir. 2013).

N.H.—*McNair v. McNair*, 151 N.H. 343, 856 A.2d 5 (2004).

Okla.—*Burggraf Services, Inc. v. H2O Solutions*, 2014 OK CIV APP 88, 369 P.3d 52 (Div. 3 2014).

Tex.—*Moncrief Oil Intern. Inc. v. OAO Gazprom*, 414 S.W.3d 142 (Tex. 2013).

- Vt.—*State v. Atlantic Richfield Co.*, 2016 VT 22, 2016 WL 556174 (Vt. 2016).
- 2 Conn.—*Dorry v. Garden*, 313 Conn. 516, 98 A.3d 55 (2014).
- D.C.—*Equal Rights Center v. Properties Intern.*, 110 A.3d 599 (D.C. 2015).
- Ill.—*In re Petition to Annex Certain Property to City of Wood Dale*, 244 Ill. App. 3d 820, 183 Ill. Dec. 343, 611 N.E.2d 606 (2d Dist. 1993).
- S.D.—*Elliott v. Board of County Com'rs of Lake County*, 2005 SD 92, 703 N.W.2d 361 (S.D. 2005).
- Tex.—*Vernco Construction, Inc. v. Nelson*, 460 S.W.3d 145 (Tex. 2015).
- 3 Okla.—*Burggraf Services, Inc. v. H2O Solutions*, 2014 OK CIV APP 88, 369 P.3d 52 (Div. 3 2014).
- 4 Tex.—*Vernco Construction, Inc. v. Nelson*, 460 S.W.3d 145 (Tex. 2015).
- 5 Conn.—*Dorry v. Garden*, 313 Conn. 516, 98 A.3d 55 (2014).
- La.—*Jacobsen v. Asbestos Corp. Ltd.*, 119 So. 3d 770 (La. Ct. App. 5th Cir. 2013).
- Tex.—*Alattar v. Kay Holdings, Inc.*, 2016 WL 145991 (Tex. App. Houston 14th Dist. 2016).
- 6 Conn.—*Dorry v. Garden*, 313 Conn. 516, 98 A.3d 55 (2014).
- Vt.—*State v. Atlantic Richfield Co.*, 2016 VT 22, 2016 WL 556174 (Vt. 2016).
- Wyo.—*Gookin v. State Farm Fire and Cas. Ins. Co.*, 826 P.2d 229 (Wyo. 1992).
- Sufficient evidence in record**
- N.H.—*McNair v. McNair*, 151 N.H. 343, 856 A.2d 5 (2004).
- N.C.—*Data General Corp. v. County of Durham*, 143 N.C. App. 97, 545 S.E.2d 243 (2001).

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